



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*86 Chambers Street, 3rd floor  
New York, New York 10007*

March 1, 2024

**BY ECF**

The Honorable Paul A. Engelmayer  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: *ACLU et al. v. DOD et al.*, No. 17 Civ. 3391 (PAE)

Dear Judge Engelmayer:

This Office represents the defendant agencies (“Defendants”) in the above-captioned lawsuit brought pursuant to the Freedom of Information Act (“FOIA”). We write respectfully on behalf of the parties to provide a joint status update pursuant to the Court’s Order dated February 1, 2024 (ECF No. 196).

As the parties last reported, the Government has been working to finalize a counter-offer. The Government will be able to provide this to Plaintiffs imminently; it has been delayed in doing so by the press of unanticipated matters in the last three weeks that have arisen on the undersigned’s docket. Because of this ongoing process, and to allow time for the parties to continue discussing, the parties respectfully and jointly ask the Court’s leave to submit a further status report by March 29, 2024. We thank the Court for its consideration of this request.

Respectfully,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York  
*Attorney for Defendants*

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